

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                    |   |                      |
|--------------------|---|----------------------|
| JAMES D. KIR,      | ) |                      |
|                    | ) |                      |
| Petitioner,        | ) | 8:05CV360            |
|                    | ) |                      |
| v.                 | ) |                      |
|                    | ) |                      |
| ROBERT HOUSTON and | ) | MEMORANDUM AND ORDER |
| ALBERTO GONZALEZ,  | ) |                      |
|                    | ) |                      |
| Respondents.       | ) |                      |
| _____              | ) |                      |

This matter is before the Court on the respondent's Status Report (Filing No. 17). It is clear from the respondent's report that this case was correctly dismissed upon the representation by the United States that the Order of Removal protested by the petitioner had been rescinded, as had the detainer previously lodged against the petitioner with the Nebraska Department of Correctional Services ("DCS"). Therefore,

IT IS ORDERED that judgment was properly entered; this case is closed, and no further action will be taken.

DATED this 14th day of December, 2005.

BY THE COURT:

/s/ Lyle E. Strom

\_\_\_\_\_  
LYLE E. STROM, Senior Judge  
United States District Court